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## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67365

RECEIVED

Amnon A. STRASSER, et al.

NOV 0 7 2003

Appln. No.: 10/033,166

Group Art Unit: 2151

**Technology Center 2100** 

Confirmation No.: 7392

Examiner: Not yet assigned

Filed: January 2, 2002

AN APPARATUS AND METHOD FOR FILE BACKUP USING MULTIPLE BACKUP

**DEVICES** 

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

For:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the document which is listed on the attached PTO/SB/08 A & B (modified) form and listed herein, and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. U.S. Patent No. 6,487,561 B1, issued on November 26, 2002 to Ofek et al.

One copy of the listed document is submitted herewith, along with a copy of the Written Opinion from the International Preliminary Examining Authority mailed on October 22, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/033,166

Attorney Docket No. Q68181

continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e)

or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the

communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

The submission of the listed document is not intended as an admission that any such

document constitutes prior art against the claims of the present application. Applicants do not waive

any right to take any action that would be appropriate to antedate or otherwise remove any listed

document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee

and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to

said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Registration No. 45,879

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 6, 2003

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## STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

NOV 0 7 2003

Technology Center 2100

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE 23373

CUSTOMER NUMBER

Date: November 6, 2003

Paul J. Wilson

Registration No. 45,879

•	( um 0 6 2003 C)		MODIFIED PTO/SB/08 A & I	3 (06-03)		
Substitute for Form 1449 A & B/PTO	HOV 0 6 2003 \$	Complete if Known				
r ,	(%)	Application Number	10/033,166	<u> </u>		
INFORMATIO	N DISCLOSERE	Confirmation Number	7392			
	BY APPLICANT	Filing Date	January 2, 2002			
		First Named Inventor	Amnon A. STRASSER			
(use as many sh	eets as necessary)	Art Unit	2151			
,		Examiner Name	Not yet assigned			
Sheet 1	of 1	Attorney Docket Number	O67365			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cito	Document	Document Number		
	Cite No.1	Number	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US 6,487,561	B1	11-26-2002	Ofek et al.
		US			
		US			
		US			DECEIVED
		US			HEOLIVED
		US			n m 2002
		US			MOA 0 3 5003
		US			
		US			Technology Center 210

FOREIGN PATENT DOCUMENTS							
	Cite	Foreign Patent Document			Publication Date	Name of Patentee or	
	No.1	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation <sup>6</sup>

NON PATENT LITERATURE DOCUMENTS					
Examiner Cite Initials* No.1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.			

**Date Considered** 

Examiner Signature

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.